

REMARKS

Independent claim 1 has been amended. Thus, claims 1-7 are pending in the present application.

Claim rejections 35 USC §102

The Examiner rejected claims 1-7 under 35 U.S.C. 102(b) as being anticipated by Gunderson. The Examiner stated that Gunderson discloses all the limitations of the pending claims. Applicant respectfully disagrees. The current claims 1-7 are directed to an automation system. Applicant amended current claim 1 to more clearly distinguish the present invention from the cited prior art.

The present application concerns an automation system which is capable of a fast and efficient recovery from any software related system failures. Such a system consists of an automation installation having an input and a output unit. These units are coupled via a bus with a personal computer system having a work drive and a back-up drive unit according to the present independent claim. Gunderson does neither disclose nor mention an automation system. The present application is particularly designed for automation systems and their specific needs and characteristics for handling programs and data. Therefore, Gunderson is not pertinent art with respect to automation systems.

Dependent claims 1-7 include all the limitations of the independent claim 1 and are therefore patentable at least to the extent of independent claim 1. However, these claims include further limitations not shown in any of the cited references. For example, claims 2-7 clearly distinguish between application programs and system programs and their respective associated data and where these programs and data is stored in the particular storage units. Gunderson does not anticipate these dependent claims.

CONCLUSION

The application as defined in the pending claims is patentable under 35 U.S.C. §102 and §103 in view of the cited prior art. Therefore, applicants respectfully request withdrawal of the rejection and allowance of all pending claims.


Applicants do not believe that any other fees are due at this time; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct the fees from Deposit Account No. 02-0383, (*formerly Baker & Botts, L.L.P.*,) Order Number 071308.0263

Respectfully submitted,

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Date: March 2, 2004

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